

DECLARATION

This Declaration is submitted in support of the Verified Complaint for Forfeiture In Rem as property belonging to Corey Ray GUNVILLE (hereinafter "Gunville"). Your declarant believes the property identified in this Declaration is subject to forfeiture.

I. INTRODUCTION

I, Dylan J. Thurmer, a Special Agent ("SA") with the Federal Bureau of Investigation ("FBI"), having held that position since January 20, 2020, am currently permanently assigned to the Minneapolis Division, Minot Resident Agency. As a Federal Special Agent, my duties include, among other things, the investigation of violent crimes occurring within Indian Country. I investigate violations of Federal law and have received training and gained experience in interviewing and interrogation techniques, arrest procedures, search warrant applications, the execution of searches and seizures, computer crimes, and various other criminal laws and procedures under the authority of the United States.

Prior to my position with the FBI, I was a police officer for 7 years at the City of Fond du Lac Police Department located in Fond du Lac, Wisconsin. I investigated local and state crimes and made arrests based on the local municipal code and the Wisconsin State Statutes. I served in specialty roles including: Special Weapons and Tactics (SWAT) operator where I assisted with the execution of high-risk arrests, and evidence technician where I collected and processed items related to criminal investigations.

Since this Declaration is being submitted for the limited purpose of supporting a verified complaint for forfeiture, I have not included each and every fact known concerning this investigation. The statements contained in this declaration are based in part on information provided by other agencies, written reports about this and other investigations that I have received, directly or indirectly, from other law enforcement agents, independent investigation, and my experience, training and background as a Special Agent with the FBI. In addition, unless otherwise indicated, all statements contained in this Declaration are summarized in substance and in part.

II. DEFENDANTS IN REM

A. One Ruger, Model 10/22, .22 caliber rifle with Bushnell scope and magazine bearing Serial No. 244-68923, seized on May 7, 2021, from a 2019 Dodge Ram 1500, bearing ND license 676CXX, VTN: IC6SRFJT3KN86630I;

B. Ammunition seized on May 7, 2021, from a 2019 Dodge Ram 1500, bearing ND license 676CXX, VTN: IC6SRFJT3KN86630I;

C. \$608 U.S. currency, seized on May 7, 2021, from Corey Gunville's person; and,

D. \$80 U.S. currency, seized on May 7, 2021, from Corey Gunville's residence at 3851 BIA Road 8, Belcourt, North Dakota.

III. SUMMARY OF INVESTIGATION

An investigation was initiated by the Minneapolis Federal Bureau of Investigation, Minot Resident Agency, into the homicide of Brandon Baye Gonzalez, and the drug trafficking activities of several members (and non-members) of the Turtle Mountain reservation, Belcourt, North Dakota.

On May 2, 2021, agents of the FBI, Minot RA were contacted after the Bureau of Indian Affairs and state and local agencies recovered a submerged truck out of Jarvis Lake, Rolette County, North Dakota, containing the deceased body of Brandon Baye Gonzalez (hereinafter "Gonzalez"), a suspected drug trafficker. Gonzalez's body was located in the back seat of the truck with a gunshot wound to his head. An autopsy determined that Gonzales died by homicide from a single gunshot wound to the head, above his right eyebrow.

On May 7, 2021, surveillance was conducted at Gunville's residence, located at 3851 BIA Road 8, Belcourt, North Dakota, in preparedness of the service of a federal search warrant. See In the Matter of the Search of The Premises located at 3851 BIA Road 8, Belcourt, North Dakota 58316 to Include All Structures and Vehicles, 3:21-mj-198, (D.N.D. May 6, 2021.) Agents observed Gunville leave the residence in a 2019 Dodge Ram 1500, bearing ND license 676CXX, VTN: IC6SRFJT3KN86630I, the search of which was included in the search warrant. Gunville was followed to the Sky Dancer Casino and Resort, Belcourt, North Dakota, which is located approximately 4.3 miles from Gunville's residence. A traffic stop was conducted by BIA in the Sky Dancer Casino and Resort parking lot, and Gunville was identified as the driver and sole occupant of the vehicle. A search was conducted on the vehicle and located on the front passenger seat was a loaded Ruger .22 caliber rifle with Bushnell scope and magazine bearing Serial No. 244-68923. Also located on the driver's seat, wrapped in foil, were seven blue M30 pills, believed to be suspected fentanyl. An Apple iPhone and drug paraphernalia were also located in the vehicle. Gunville was arrested and \$608.00 U.S. currency was located on his person.

Contemporaneous to Gunville's arrest at the Sky Dancer Casino and Resort, agents executed a search warrant at Gunville's residence located at 3851 BIA Road 8, Belcourt, North Dakota. Located at the residence was a 2003 Hyundai Elantra parked in front of the house. The 2003 Hyundai Elantra contained a safe in the back seat. The safe contained numerous pills, believed to be suspected fentanyl. Located in the yard next to the garage were seven .22 shell casings. A garbage can located in front of the garage contained four \$20 bills, totaling \$80.00 U.S. currency, along with several articles of clothing. Bloody clothes were located in the laundry room, and computer and surveillance equipment (monitor and recording device) were located in Gunville's bedroom.

During the course of the investigation, which included: Conducting numerous interviews with associates of Gonzalez; conducting aerial and ground surveillance; executing search warrants; reviewing Gunville's iPhone analyzing data downloaded from Gunville's phone, law

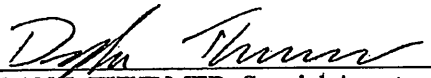
enforcement learned that Gunville, a known local drug dealer on the Turtle Mountain reservation, was with Gonzalez before he died. Law enforcement further learned that Gonzales may have been Gunville's controlled substance source and that they had a falling out. After reviewing the evidence obtained thus far, your Declarant asserts there is probable cause and ample evidence to believe Gunville possessed, distributed, and conspired to distribute controlled substances.

Subsequent to the property seizure, the FBI commenced administrative forfeiture proceedings. On July 22, 2021, Gunville filed an on-line claim seeking the return of these items, thereby triggering the provision in 18 U.S.C. § 983(a)(3)(A) which requires the United States to file a civil complaint within 90 days after a claim has been filed.

IV. CONCLUSION

Based on the foregoing facts and circumstances, I submit that probable cause exists to believe the above-described firearm, scope, magazine, and ammunition are subject to forfeiture pursuant to Title 21 U.S.C. § 881(a)(11) as a firearm(s) used to facilitate the exchange of a controlled substance or traceable to such an exchange. I further submit that probable cause exists to believe the above-described property identified as \$608 and \$80 in U.S. currency are subject to forfeiture pursuant to Title 21 U.S.C. § 881(a)(6) as proceeds traceable to an illegal drug exchange and/or facilitating a drug transaction.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.


DYLAN J. THURMER, Special Agent
Federal Bureau of Investigation